

AN ACT

relating to the authority of a state employee to authorize a deduction from the employee's salary or wage payment for a charitable contribution to certain entities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle D, Title 4, Government Code, is amended by adding Chapter 450 to read as follows:

CHAPTER 450. EDUCATIONAL PROGRAMS TO ADVANCE THE TEACHING OF TEXAS

HISTORY

Sec. 450.001. APPLICABILITY OF CHAPTER. In this chapter "charitable historical organization" means an entity that:

(1) is organized as a nonprofit organization;

(2) has its main office at an institution of higher education, as that term is defined under Section 61.003, Education Code; and

(3) maintains an established educational department that provides:

(A) opportunities for students in this state to study and work to preserve the history, heritage, and symbols of this state; and

(B) training and resources to assist educators in developing effective strategies to teach students about the heritage, history, and symbols of this state.

Sec. 450.002. FUNDING. For the purposes of Subchapter I,

1 Chapter 659:

2 (1) a charitable historical organization is  
3 considered an eligible charitable organization entitled to  
4 participate in a state employee charitable campaign; and

5 (2) a state employee is entitled to authorize a  
6 deduction for contributions to a charitable historical  
7 organization as a charitable contribution under Section 659.132,  
8 and the organization may use the contributions for the purpose of  
9 administering and providing educational outreach programs  
10 established by the organization.

11 SECTION 2. Sections 659.140 and 659.134, Government Code,  
12 are amended to read as follows:

13 Sec. 659.140. STATE EMPLOYEE CHARITABLE CAMPAIGN POLICY  
14 COMMITTEE. (a) The state employee charitable campaign policy  
15 committee shall consist [~~consists~~] of 13 [~~not more than 10~~]  
16 members.

17 (b) The governor with the advice and consent of the senate  
18 shall [~~may~~] appoint four members who are state employees at the time  
19 of their appointment and three members who are retired state  
20 employees receiving benefits under Chapter 814 [~~not more than four~~  
21 ~~members~~]. The lieutenant governor and the comptroller may appoint  
22 not more than three members each. An appointment to the committee  
23 shall be made without regard to the race, color, disability, sex,  
24 religion, age, or national origin of the appointee. The state  
25 policy committee shall elect a chairman biennially from its own  
26 membership.

27 (c) A [~~Each~~] member of the state policy committee may not

1 receive compensation for serving on the committee and is not  
2 entitled to reimbursement from state funds for expenses incurred in  
3 performing functions as a member of the committee ~~[must be a state~~  
4 ~~employee]~~. The membership must represent employees at different  
5 levels of employee classification.

6 (d) A person may not be a member of the committee if the  
7 person or the person's spouse is employed by or participates in the  
8 management or sits on the board of any entity or organization  
9 including any federation or fund that receives money through the  
10 state employee charitable campaign ~~[Appointments shall be made to~~  
11 ~~the state policy committee to ensure that the committee reflects~~  
12 ~~the race, ethnicity, and national origin of the residents of this~~  
13 ~~state]~~.

14 (e) The state policy committee shall:

15 (1) establish local campaign areas based on  
16 recommendations by the state advisory committee;

17 (2) select as the state campaign manager:

18 (A) a federated community campaign organization;

19 or

20 (B) ~~[in the absence of an application by an~~  
21 ~~organization described by Paragraph (A),]~~ a charitable  
22 organization determined by the state policy committee to have  
23 demonstrated the capacity to conduct a state campaign;

24 (3) determine the eligibility of a federation or fund  
25 and its affiliated agencies for statewide participation in the  
26 state employee charitable campaign;

27 (4) approve the recommended campaign plan, budget, and

1 generic materials to be used by campaign managers;

2 (5) oversee the state employee charitable campaign to  
3 ensure that all campaign activities are conducted fairly and  
4 equitably to promote unified solicitation on behalf of all  
5 participants; and

6 (6) perform other duties prescribed by the  
7 comptroller's rules.

8 (f) The state employee charitable campaign policy committee  
9 is subject to the open meetings law, Chapter 551, Government Code.

10 (g) The state employee charitable campaign policy committee  
11 is subject to the public information law, Chapter 552, Government  
12 Code.

13 (h) Any contract entered into under Chapter 659, Subchapter  
14 I must require the contracting vendor, institution, individual,  
15 corporation, or other business or charitable entity to provide all  
16 information maintained by the entity related to the expenditure of  
17 public funds to the state employee charitable campaign policy  
18 committee upon request.

19 (i) The state employee charitable campaign policy committee  
20 is subject to the Texas Sunset Act. Unless continued in existence  
21 as provided by that chapter, the committee is abolished and  
22 Government Code Chapter 659, Subchapter I, and Sections 814.0095  
23 and 814.0096 expire on September 1, 2013.

24 Sec. 659.134. DESIGNATION OF AN ELIGIBLE CHARITABLE  
25 ORGANIZATION. (a) A state employee or retired state employee  
26 receiving benefits under Chapter 814 who chooses to make a  
27 deduction must ~~may~~ designate in the authorization an eligible

1 charitable organization to receive the deductions.

2       ~~[(b) If a state employee does not designate an eligible~~  
3 ~~charitable organization, the employee's deductions shall be~~  
4 ~~distributed to each participating federation or fund and eligible~~  
5 ~~local charitable organization in the proportion that the deductions~~  
6 ~~designated for that charitable organization bear to the total of~~  
7 ~~designated deductions in the local state employee charitable~~  
8 ~~campaign.]~~

9       SECTION 3. This Act takes effect September 1, 2011.

H.B. No. 2549

David Newhall

President of the Senate

Joe Straus

Speaker of the House

I certify that H.B. No. 2549 was passed by the House on May 5, 2011, by the following vote: Yeas 146, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2549 on May 27, 2011, by the following vote: Yeas 137, Nays 0, 2 present, not voting.

Robert Hanay

Chief Clerk of the House

I certify that H.B. No. 2549 was passed by the Senate, with amendments, on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Patsy Spaw

Secretary of the Senate

APPROVED: 17 JUN '11

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

4pm O'CLOCK

JUN 17 2011

John R. McDevitt

Secretary of State